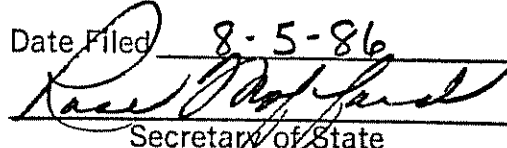


CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF MESA

NO. <u>11359</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>8-5-86</u>
 Secretary of State

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF MESA, hereinafter called "CITY",

WHEREAS, the State is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE:

WHEREAS, the CITY is empowered by A.R.S. Section 48-572 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said CITY;

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the City. This work shall include the installation of new traffic signals at the following location:

On US 60 at 74th Street MP 188.72
Project #F-022-5-933

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on US 60 at 74th Street, Mesa.

2. The CITY, upon completion of the work shall reimburse the STATE for 50% of the final construction and engineering costs at US 60 at 74th Street in Mesa, not to exceed \$45,000 for its share of the cost of this work.

3. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

4. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This Agreement shall be filed with the Secretary of State and shall become effective upon filing.

6. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

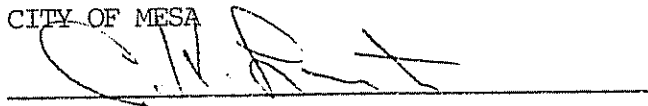

State Engineer

DATE:

18 June 1986

CITY OF MESA

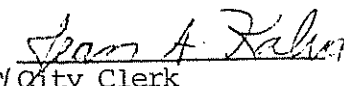
BY:


CITY MANAGER

DATE:

May 28, 1986

ATTEST:


Deputy City Clerk

Date: 5/28/86

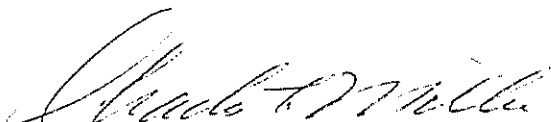
Project #F-022-5-933
US 60 at 74th Street MP 188.72 - Mesa

RESOLUTION

BE IT RESOLVED ON THIS 4th day of April, 1986, that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interests of the State of Arizona that the DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into a Construction Intergovernmental Agreement with the CITY OF MESA.

Traffic signals are warranted based on a traffic engineering study. The City of Mesa will provide 50% of the cost of the signals.

THEREFORE, authorization is hereby given to draft said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.



Director
ARIZONA DEPARTMENT OF TRANSPORTATION



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR86-1014, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 28 day of July, 1986.

ROBERT K. CORBIN
Attorney General

Don A. Stapp
Assistant Attorney General
Transportation Division

RESOLUTION NO. 5730

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY OF MESA WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION.


BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the Construction Intergovernmental Agreement between the City of Mesa and the State of Arizona, acting through its Department of Transportation, for the installation of new traffic signals at Main Street and 74th Street in the City of Mesa is hereby approved.

Section 2: That the City Manager is authorized and directed on behalf of the City of Mesa to execute the intergovernmental agreement, and the City Clerk is authorized and directed to attest to the signature of the City Manager thereon.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 19th day of May, 1986.

APPROVED:


Mayor

ATTEST:



City Clerk

EXHIBIT "B"
APPROVAL OF THE CITY ATTORNEY

I hereby state that I have reviewed the proposed Construction Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION, and the CITY OF MESA, and declare the Agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 19th day of May, 1984.

CITY OF MESA

BY:

[Signature]
City Attorney

EXHIBIT "C"
LETTER ADDENDUM

In accordance with paragraph 9 of the Agreement AG #79-469, Secretary of State #5439 dated July 12, 1979, for the operation and maintenance of traffic signals and/or highway lighting between the STATE OF ARIZONA and the CITY OF MESA, it is agreed by both parties that the following intersection be added to the existing list of intersections to be operated and maintained as set forth in said Agreement.

US 60 at 74th Street - MP 188.72
Mesa

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:


State Engineer

DATE:

18 Jan 1986

CITY OF MESA

BY:



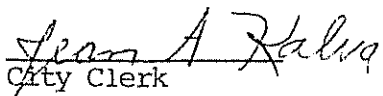
TITLE:

CITY MANAGER

DATE:

May 28, 1986

ATTEST:

Deputy 
City Clerk
Date: 5/28/86